

BUILDING STANDARDS COMMISSION

2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959



March 21, 2011

Mark Berg, Building Official
Local Amendments to CCR T24
City of Hawaiian Gardens
21850 Pioneer Boulevard
Hawaiian Gardens, CA 90716-1237

Dear Mr. Berg:

This letter is to acknowledge receipt on December 23, 2010 of the City of Hawaiian Gardens submittal pertaining to Resolution Nos. 534 and 534U with findings and is acceptable for filing. Your filing attests to your understanding that according to Health and Safety Code Section 17958.7 no modification or change to the California Building Standards Code shall become effective or operative for any purpose until the finding and the modification or change have been filed with the California Building Standards Commission (the Commission).

This letter attests only to the filing of these local modifications with the Commission, which is not authorized by law to determine the merit of the filing.

As a reminder, local modifications are specific to a particular edition of the Code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the Code is published. In addition, should you receive Fire Protection District ordinances for ratification, it is required to submit the ratified ordinances to the Department of Housing and Community Development [H&SC Section 13869.7(c)], attention State Housing Law Program Manager, rather than the Commission.

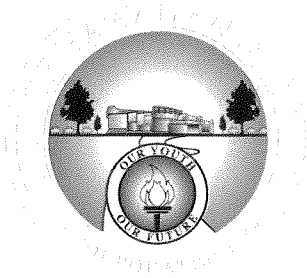
If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

A handwritten signature in black ink, appearing to read "Enrique M. Rodriguez".

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings



"Our Youth - Our Future"

CITY OF HAWAIIAN GARDENS

December 20, 2010

Mr. David Walls, Executive Director
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Dear Mr. Walls:

CITY OF HAWAIIAN GARDENS ADOPTION OF THE 2010 COUNTY OF LOS ANGELES CODES AND FINDINGS OF LOCAL AMENDMENTS

Enclosed, please find copies of Ordinances adopting the County of Los Angeles Building, Residential, Electrical, Plumbing, and Mechanical Codes, along with the 2010 California Green Building Standards Code. The package also includes both the City's amendments along with the County amendments to these Codes together with appropriate Findings by the County of Los Angeles Board of Supervisors for these amendments in accordance with the requirements of Section 17958.7 of the California Health and Safety Code. Each of the changes and modifications to the building standards was found to be reasonably necessary based upon local climatic, geological, and/or topographical conditions.

The Hawaiian Gardens City Council made these Findings and approved the Ordinances at its meeting on December 14, 2010. The Ordinances include Nos. 534, 535U adopting and amending the California Building, Residential, Electrical, Plumbing, Mechanical, and Green Building Standards Codes, respectively.

If you should have any questions, please contact Mr. Mark Berg, Building Official, at 562-420-2641.

Very truly yours,

Mark Berg
Building Official

Attachments: 534
535U

2010 DEC 23 AM 10:56
CITY OF HAWAIIAN GARDENS
COMMUNITY DEVELOPMENT
COMMISSION

ORDINANCE NO. 535U

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS ADOPTING BY REFERENCE, PURSUANT TO GOVERNMENT CODE SECTIONS 50022.2 and 50022.9 and HEALTH AND SAFETY CODE SECTIONS 17958 and 17958.7, THE 2010 CALIFORNIA BUILDING CODE (TITLE 26 LOS ANGELES COUNTY BUILDING CODE), THE 2010 CALIFORNIA ELECTRICAL CODE (TITLE 27 LOS ANGELES COUNTY ELECTRICAL CODE), THE 2010 CALIFORNIA PLUMBING CODE (TITLE 28 LOS ANGELES COUNTY PLUMBING CODE), THE 2010 CALIFORNIA MECHANICAL CODE (TITLE 29 LOS ANGELES COUNTY MECHANICAL CODE), THE 2010 CALIFORNIA RESIDENTIAL CODE (TITLE 30 LOS ANGELES COUNTY RESIDENTIAL CODE), THE 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE AND ADOPTING LOCAL AMENDMENTS THERETO.

THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS DOES ORDAIN AS FOLLOWS:

Section 1. Section 15.04.020 of the Hawaiian Gardens Municipal Code is hereby amended to read:

§15.04.020 ADOPTION OF THE 2010 CALIFORNIA BUILDING CODE AS AMENDED BY TITLE 26 LOS ANGELES COUNTY BUILDING CODE (ADOPTED NOVEMBER 23, 2010 BY THE LOS ANGELES COUNTY BOARD OF SUPERVISORS).

(A) The 2010 California Building Code as amended by Title 26 Los Angeles County Building Code (Adopted November 23, 2010 By the Los Angeles County Board of Supervisors), together with their appendices, which regulate the erection, construction, enlargements, alteration, repair, moving, removal, conversion, demolition, occupancy, use, equipment, height, area, security, abatement, and maintenance of buildings or structures within the city, provide for the issuance of permits and collection of fees therefore, are hereby adopted by reference, and conflicting ordinances are hereby repealed.

(B) All of the regulations, provisions, conditions and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the City Clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

(C) Section 106.3 of Chapter 1 of Title 26 of the Los Angeles County Building Code is hereby amended to read as follows:

106.3 Work Exempted. A building permit shall not be required for the following:

1. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 m²), the plate height does not exceed 12 feet (3.69 m) in height above the grade plane at any point, and the maximum roof projection does not exceed 24 inches.
2. Wood, wrought iron and similar fences not over 6 feet high and masonry, concrete and similar garden or pilaster fences not over 3 feet high. Fences shall comply with the City's Zoning Code regardless whether a permit is required or not.
3. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 1½:1.
4. Gantry cranes and similar equipment.
5. Retaining walls that retain not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding a Class I, II, or III-A liquids.
6. Motion picture, television and theater stage sets and scenery, except when used as a building.
7. Ground mounted radio and television antennae towers which do not exceed 45 feet (13 716 mm) in height and ground supported dish antennas not exceeding 15 feet (4572 mm) in height above finished grade in any position.
8. Light standards which do not exceed 30 feet (9144 mm) in height.
9. Flagpoles not erected upon a building and not more than 15 feet (4572 mm) high.
10. A tree house provided that:
 - 10.1 It does not exceed 64 square feet (5.94 m²) in area nor 8 feet (2438 mm) in height from floor to roof.
 - 10.2 The ceiling height as established by door height or plate line does not exceed 6 feet (1829 mm).
11. Canopies or awnings, completely supported by the exterior wall, attached to a Group R-3 or U Occupancy and extending not more than 54 inches (1372 mm) from the exterior wall of the building.
12. Sheds, office or storage buildings, and other structures incidental to and work authorized by a valid grading or building permit. Such structures must be removed upon expiration of the permit or completion of the work covered by the permit.
13. A portable metal hanger located on County-owned airports, provided that:
 - 13.1 It is less than 2,000 square feet (18.58 m²) in area;
 - 13.2 It is used exclusively for the parking of aircraft;
 - 13.3 It bears the Department of Motor Vehicles, State of California, insignia of approval for movement on any highway;
 - 13.4 It incorporates as an integral part of its basic construction a hitch or coupling device for towing;
 - 13.5 It can accommodate, without further structural change, wheel and axle assemblies to provide a safe means of portability;
 - 13.6 It is equipped with permanent ventilation to prevent the accumulation of combustible gases; and
 - 13.7 It is not provided with water or sanitary facilities.

14. Oil derricks.
15. Platforms, walks and driveways not more than 30 inches (762 mm) above grade, not over any basement or story below, and which are not part of an accessible route.
16. Prefabricated swimming pools, spas and other bodies of water that are accessory to a Group R-3 Occupancy and less than 18 inches deep in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5,000 gallons (18 927 L). Fences, gates, door alarms, and other protection devices that are accessory to the prefabricated swimming pool are not exempt from permit requirements.
17. Playground equipment.

Unless otherwise exempted, separate plumbing, electrical and mechanical permits will be required for the above-exempted items.

Exemption from the permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code, or other laws or ordinances.

Section 2. Section 15.04.030 of the Hawaiian Gardens Municipal Code is hereby amended to read as follows:

§15.04.030 PENALTY

Every person violating any provision of the 2010 California Building Code as amended by Title 26 Los Angeles Building Code and appendices, adopted by reference by §15.04.020, or of any permit or license granted hereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense. In addition, all enforcement provisions of Chapters 1.12 and 1.13 of this Code that do not conflict herewith shall be applicable.

Section 3. Section 15.06.020 of the Hawaiian Gardens Municipal Code is hereby amended to read as follows:

§15.06.020 ADOPTION OF 2010 CALIFORNIA ELECTRICAL CODE AS AMENDED BY TITLE 27 LOS ANGELES COUNTY ELECTRICAL CODE (ADOPTED NOVEMBER 23, 2010 BY THE LOS ANGELES COUNTY BOARD OF SUPERVISORS).

(A) The 2010 California Electrical Code as amended by Title 27 Los Angeles County Electrical Code (Adopted November 23, 2010 by the Los Angeles County Board of Supervisors), together with their annexes, which provides minimum requirements and standards for the protection of the public health, safety and welfare by regulating the installation or alteration of electrical wiring, equipment, materials, and workmanship in the city, provides for the issuance of permits and collection of fees therefore, with all changes and

amendments thereto is hereby adopted by reference and all conflicting ordinances are hereby repealed.

(B) All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the City Clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

Section 4. Section 15.06.030 of the Hawaiian Gardens Municipal Code is hereby amended to read as follows:

§15.06.030 PENALTY

Every person violating any provision of the 2010 California Electrical Code as amended by Title 27 Los Angeles County Electrical Code and appendices, adopted by reference by §15.06.020, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense. In addition, all enforcement provisions of Chapters 1.12 and 1.13 of this Code that do not conflict herewith shall be applicable.

Section 5. Section 15.08.020 of the Hawaiian Gardens Municipal Code is hereby amended to read as follows:

§15.08.020 ADOPTION OF THE 2010 CALIFORNIA MECHANICAL CODE AS AMENDED BY TITLE 29 LOS ANGELES COUNTY MECHANICAL CODE (ADOPTED NOVEMBER 23, 2010 BY THE LOS ANGELES COUNTY BOARD OF SUPERVISORS).

(A) The 2010 California Mechanical Code as amended by Title 29 Los Angeles County Mechanical Code; (Adopted November 23, 2010 By the Los Angeles County Board of Supervisors), together with their appendices, which regulate and control the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of heating, venting, cooling, refrigeration systems, or other miscellaneous heat-producing appliances in the city, provides for the issuance of permits and collection of fees therefore, with certain changes and amendments thereto, is hereby adopted by reference, and all conflicting ordinances are hereby repealed.

(B) All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the City Clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the

exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

Section 6. Section 15.08.030 of the Hawaiian Gardens Municipal Code is hereby amended to read as follows:

§15.08.030 PENALTY

Every person violating any provision of the 2010 California Mechanical Code as amended by Title 29 Los Angeles County Mechanical Code and appendices, adopted by reference by §15.08.020, or of any permit or license granted there under, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense. In addition, all enforcement provisions of Chapters 1.12 and 1.13 of this Code that do not conflict herewith shall be applicable.

Section 7. Section 15.10.020 of the Hawaiian Gardens Municipal Code is hereby amended to read as follows:

§15.10.020 ADOPTION OF 2010 CALIFORNIA PLUMBING CODE AS AMENDED BY TITLE 28 LOS ANGELES COUNTY PLUMBING CODE (ADOPTED NOVEMBER 23, 2010 BY THE LOS ANGELES COUNTY BOARD OF SUPERVISORS).

(A) The 2010 California Plumbing Code as amended by Title 28 Los Angeles County Plumbing Code (Adopted November 23, 2010 By the Los Angeles County Board of Supervisors), together with their appendices, which provide minimum requirements and standards for the protection of the public health, safety and welfare by regulating the installation or alteration of plumbing and drainage, materials, venting, wastes, traps, interceptors, water systems, sewers, gas piping, water heaters and other related products, and workmanship in the city, provide for the issuance of permits and collection of fees therefore, with certain changes and amendments thereto, are hereby adopted by reference and conflicting ordinances are hereby repealed.

(B) All of the regulations, provisions, conditions and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the City Clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

Section 8. Section 15.10.030 of the Hawaiian Gardens Municipal Code is hereby amended to read as follows:

§15.10.030 PENALTY

Every person violating any provision of the 2010 California Plumbing Code as amended by Title 28 Los Angeles County Plumbing Code and appendices, adopted by reference by §15.10.020, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense. In addition, all enforcement provisions of Chapters 1.12 and 1.13 of this Code that do not conflict herewith shall be applicable.

Section 9. Title 15 of the Hawaiian Gardens Municipal Code is hereby amended by adding Chapter 15.12 to read as follows:

Chapter 15.12 RESIDENTIAL CODE

§15.12.010 TITLE

The ordinance codified in this chapter shall be known as the "Residential Code of the City of Hawaiian Gardens" and may be cited as the "Residential Code."

§15.12.020 ADOPTION OF THE 2010 CALIFORNIA RESIDENTIAL CODE AS AMENDED BY TITLE 30 LOS ANGELES COUNTY RESIDENTIAL CODE (ADOPTED NOVEMBER 23, 2010 BY THE LOS ANGELES COUNTY BOARD OF SUPERVISORS).

(A) The 2010 California Residential Code as amended by Title 30 Los Angeles County Residential Code (Adopted November 23, 2010, By the Los Angeles County Board of Supervisors), together with their appendices, which regulate the erection, construction, enlargements, alteration, repair, moving, removal, conversion, demolition, occupancy, use, equipment, height, area, security, abatement, and maintenance of certain residential buildings or structures within the city, provide for the issuance of permits and collection of fees therefore, are hereby adopted by reference, and conflicting ordinances are hereby repealed.

(B) All of the regulations, provisions, conditions, and terms of the codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this chapter.

§15.12.030 PENALTY

Every person violating any provision of the 2010 California Residential Code as amended by Title 30 Los Angeles County Residential Code and appendices, adopted by reference by §15.12.020, or of any permit or license

granted there under, and any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense. In addition, all enforcement provisions of Chapters 1.12 and 1.13 of this Code that do not conflict herewith shall be applicable.

§15.12.040 AMENDMENTS GENERALLY

Title 30, as adopted by Section 15.12.020 is hereby amended as follows:

Whenever reference is made to the County of Los Angeles or to the incorporated area of the County, such area shall be deemed to include within its corporate limits the area of the City of Hawaiian Gardens for purposes of fulfilling the requirements of this Chapter.

§15.12.050 CONFLICT

Whenever an apparent conflict or inconsistency exists between any provision of Title 30, as adopted in Section 15.12.020 and any provision of the Hawaiian Gardens Municipal Code, each provision shall be construed so as to supplement the other. In the event any apparently conflicting or inconsistent provisions may not reasonably be so construed, the provisions of the Hawaiian Gardens Municipal Code shall prevail.

§15.12.060 NO ENTITLEMENT CREATED HEREBY

The adoption hereby of Title 30 as set forth in Section 15.12.020 shall not be construed for any purpose as creating any entitlement or authorizing any business or use, which is prohibited by any provision contained in the Hawaiian Gardens Municipal Code.

§15.12.070 SEVERABILITY

The city council hereby declares that should any provision, section, paragraph, sentence or word of this chapter or Title 30, hereby adopted by reference in Section 15.12.020, be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this chapter and Title 30 hereby adopted shall remain in full force and effect.

Section 10. Title 15 of the Hawaiian Gardens Municipal Code is hereby amended by adding Chapter 15.14 to read as follows:

Chapter 15.14 GREEN BUILDING STANDARDS CODE

§15.14.010 TITLE

The ordinance codified in this chapter shall be known as the "Green Building Standards Code of the City of Hawaiian Gardens" and may be cited as the "Green Building Standards Code."

§15.14.020 ADOPTION OF THE 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE.

(A) The 2010 California Green Building Standards Code, which regulates the planning, design, operation, construction, use and occupancy of every newly constructed building or structure, unless otherwise indicated in that code, for the maintenance of the green building features of properties in the city, for the issuance of permits and collection of fees therefore, with certain changes and amendments thereto, are hereby adopted by reference, and all conflicting ordinances are repealed. Only the mandatory requirements of the Green Building Standards Code are in effect. The various measures indicated in Appendices A4 and A5 of the Green Building Standards Code are voluntary.

(B) All of the regulations, provisions, conditions, and terms of the codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this chapter.

§15.14.030 PENALTY

Every person violating any provision of the 2010 California Green Building Standards Code and appendices, adopted by reference by §15.14.020, or of any permit or license granted there under, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense. In addition, all enforcement provisions of Chapters 1.12 and 1.13 of this Code that do not conflict herewith shall be applicable.

§15.14.040 (Reserved)

§15.14.050 CONFLICT

Whenever an apparent conflict or inconsistency exists between any provision of the Green Building Standards Code, as adopted in Section 15.14.020 and any provision of the Hawaiian Gardens Municipal Code, each provision shall be construed so as to supplement the other. In the event any apparently conflicting or inconsistent provisions may not reasonably be so construed, the provisions of the Hawaiian Gardens Municipal Code shall prevail.

§15.14.060 NO ENTITLEMENT CREATED HEREBY

The adoption hereby of the Green Building Standards Code as set forth in Section 15.14.020 shall not be construed for any purpose as creating any entitlement or authorizing any business or use which is prohibited by any provision contained in the Hawaiian Gardens Municipal Code.

§15.14.070 SEVERABILITY

The city council hereby declares that should any provision, section, paragraph, sentence or word of this chapter or the Green Building Standards Code hereby adopted by reference in Section 15.14.020, be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this chapter and the Green Building Standards hereby adopted shall remain in full force and effect.

Section 11. The City Council hereby makes each finding of reasonable necessity for modifications as stated separately for each such modification as identified in Los Angeles County Titles 26, 27, 28, 29, and 30 and the California Green Building Standards Code. These modifications to the California Building Standards Code, incorporating the uniform and international codes are reasonably necessary due to the local climatic, geological and/or topographical conditions characterized by hot, dry summers and the high potential for seismic activity which make structures particularly vulnerable to rapidly spreading fires and structural damage.

Section 12. Severability. Should any section, subsection, clause, or provision of this Ordinance for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance; it being hereby expressly declared that this Ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been prepared, proposed, approved, and ratified irrespective of the fact that anyone or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

Section 13. This Urgency Ordinance shall take effect immediately upon adoption, and the local amendments to the building laws shall become effective January 1, 2011, and shall apply to all projects submitted for plan check on or after that date.

Section 14. This Ordinance has been determined to be exempt from the California Environmental Quality Act pursuant to State Guidelines §15061 (b)(3) as a project that has no potential for causing a significant effect on the environment.

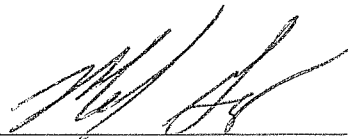
Section 15. The Mayor or presiding officer of the City of Hawaiian Gardens City Council is hereby authorized to affix his/her signature to this Ordinance signifying its adoption by the City Council of the City of Hawaiian Gardens.

Section 16. The City Clerk of the City of Hawaiian Gardens, or his/her duly appointed Deputy, is hereby directed to attest hereto; and shall cause this Ordinance and its certification to be entered into the Book of Ordinances of the City Council of the City of Hawaiian Gardens.

Section 16. The City Clerk shall file a certified copy of this Ordinance with the California Building Standards Commission.

Section 17. Urgency Findings. The latest adopted State Building laws become effective January 1, 2011. Local amendments and any modifications thereof must be effective by January 1, 2011. It is essential that the City adopt the above stated Codes and modifications necessitated by local topographical, geological, and climatic conditions by that date. In the absence of legislation effective by that date, technical codes adequate to meet the City's special circumstances will not be in effect and hazards will be posed which would immediately threaten the public peace, health, and safety. Accordingly, this ordinance shall take effect immediately upon adoption and the local amendments to the Building laws shall become operative January 1, 2011.

APPROVED and ADOPTED this December 14, 2010.



MICHAEL GOMEZ
MAYOR

ATTEST:



SUZANNE UNDERWOOD
CITY CLERK

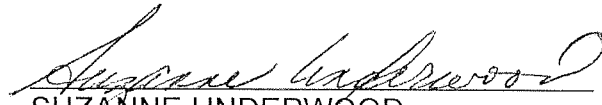
Adoption date 12/14/2010

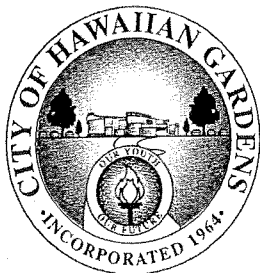
CITY OF HAWAIIAN GARDENS
CITY CLERK'S OFFICE
CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF HAWAIIAN GARDENS)

I, Suzanne Underwood, City Clerk of the City of Hawaiian Gardens, do hereby certify that **Urgency Ordinance No. 535U**, was duly adopted and passed at a regular meeting of the City Council on this **14 day of December 2010**, by the following votes as the same appears on file and of record in the Office of the City Clerk.

AYES: FARFAN, RODRIGUEZ, BRUCE, OYAMA-CANADA, GOMEZ
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE


SUZANNE UNDERWOOD
CITY CLERK/RECORDS MANAGER



CITY OF HAWAIIAN GARDENS
CITY COUNCIL
STAFF REPORT

Agenda Item No. B-1

Meeting Date 12/14/2010

City Administrator [Signature]

CITY OF HAWAIIAN GARDENS
ACTION:

☒ Approved
☐ Denied
☐ Amended
☐ Receive & File
☐ Other

[Signature]
VOTE: 5-0
DATE: 12/14/2010

TO: Honorable Mayor and City Councilmembers
THRU Ernesto Marquez, City Administrator
FROM: Joseph Colombo, Community Development Director
Mark Berg, Building Official
DATE: December 14, 2010
SUBJECT: ORDINANCE 535U – URGENCY ORDINANCE

A REQUEST FROM THE COMMUNITY DEVELOPMENT DEPARTMENT FOR THE CITY COUNCIL TO ADOPT URGENCY ORDINANCE 535U ADOPTING BY REFERENCE, PURSUANT TO GOVERNMENT CODE SECTIONS 50022.2 and 50022.9 and HEALTH AND SAFETY CODE SECTIONS 17958 and 17958.7, THE 2010 CALIFORNIA BUILDING CODE (TITLE 26 LOS ANGELES COUNTY BUILDING CODE), THE 2010 CALIFORNIA ELECTRICAL CODE (TITLE 27 LOS ANGELES COUNTY ELECTRICAL CODE), THE 2010 CALIFORNIA PLUMBING CODE (TITLE 28 LOS ANGELES COUNTY PLUMBING CODE), THE 2010 CALIFORNIA MECHANICAL CODE (TITLE 29 LOS ANGELES COUNTY MECHANICAL CODE), THE 2010 CALIFORNIA RESIDENTIAL CODE (TITLE 30 LOS ANGELES COUNTY RESIDENTIAL CODE), THE 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE AND ADOPTING LOCAL AMENDMENTS THERETO.

SUMMARY

The latest adoption of the State Building Codes will become effective January 1, 2011. The City also adopts the Los Angeles County Amendments to the State Building Codes.

DISCUSSION

Since incorporation, the City of Hawaiian Gardens has adopted the Los Angeles County codes by reference. These codes contain essential amendments and additions to the Uniform, International and State Building Codes. Included in these amendments are the administrative portions of the codes as well as such important chapters for grading and substandard properties. The State of California adopts and publishes State Building Laws and mandates they become effective throughout the State 180 days after publication. The 2010 codes will become effective on January 1, 2011. In order for a jurisdiction to make amendments to the State Building Codes, it must make specific findings based on local climatic, topographical and/or geological conditions. The County ordinances contain such amendments and each of these amendments is justified in detail to satisfy State Law as shown in the attached Los Angeles County Ordinances. However, the City is proposing the adoption of the California Green Building Standards Code without the County amendments, as these amendments seem to increase the cost of construction and as a result, negatively impact the suffering building industry. The City is proposing minor administrative amendments to the Codes, which do not require justification.

ENVIRONMENTAL DOCUMENTATION

Adoption of these ordinances is exempt from the California Environmental Quality Act (CEQA) in that it can be seen with certainty that there is no possibility that the ordinance may have a significant effect on the environment pursuant to State CEQA Guidelines Section 15061(b)(3). The adoption of the proposed ordinances is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. The adoption of the proposed ordinances does not have such potential.

RECOMMENDATION

Staff recommends that the City Council approve and adopt an Urgency Ordinance that adopt by reference the 2010 California Building Code (Title 26 Los Angeles County Building Code), the 2010 California Electrical Code (Title 27 Los Angeles County Electrical Code), the 2010 California Plumbing Code (Title 28 Los Angeles County Plumbing Code), the 2010 California Mechanical Code (Title 29 Los Angeles County Mechanical Code), the 2010 California Residential Code (Title 30 Los Angeles County Residential Code), the 2010 California Green Building Standards Code and local amendments thereto.

FISCAL IMPACT

The fiscal impact to the City will be the cost to acquire two (2) sets of codebooks. One set is for the City Clerk and one set is for the Building Department. The cost is approximately \$3,000.

ATTACHMENT

Ordinance No. 535U

ORDINANCE NO. 534

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS ADOPTING BY REFERENCE, PURSUANT TO GOVERNMENT CODE SECTIONS 50022.2 and 50022.9 and HEALTH AND SAFETY CODE SECTIONS 17958 and 17958.7, THE 2010 CALIFORNIA BUILDING CODE (TITLE 26 LOS ANGELES COUNTY BUILDING CODE), THE 2010 CALIFORNIA ELECTRICAL CODE (TITLE 27 LOS ANGELES COUNTY ELECTRICAL CODE), THE 2010 CALIFORNIA PLUMBING CODE (TITLE 28 LOS ANGELES COUNTY PLUMBING CODE), THE 2010 CALIFORNIA MECHANICAL CODE (TITLE 29 LOS ANGELES COUNTY MECHANICAL CODE), THE 2010 CALIFORNIA RESIDENTIAL CODE (TITLE 30 LOS ANGELES COUNTY RESIDENTIAL CODE), THE 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE AND ADOPTING LOCAL AMENDMENTS THERETO.

THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS DOES ORDAIN AS FOLLOWS:

Section 1. Section 15.04.020 of the Hawaiian Gardens Municipal Code is hereby amended to read:

§15.04.020 ADOPTION OF THE 2010 CALIFORNIA BUILDING CODE AS AMENDED BY TITLE 26 LOS ANGELES COUNTY BUILDING CODE (ADOPTED NOVEMBER 23, 2010 BY THE LOS ANGELES COUNTY BOARD OF SUPERVISORS).

(A) The 2010 California Building Code as amended by Title 26 Los Angeles County Building Code (Adopted November 23, 2010 By the Los Angeles County Board of Supervisors), together with their appendices, which regulate the erection, construction, enlargements, alteration, repair, moving, removal, conversion, demolition, occupancy, use, equipment, height, area, security, abatement, and maintenance of buildings or structures within the city, provide for the issuance of permits and collection of fees therefore, are hereby adopted by reference, and conflicting ordinances are hereby repealed.

(B) All of the regulations, provisions, conditions and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the City Clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

(C) Section 106.3 of Chapter 1 of Title 26 of the Los Angeles County Building Code is hereby amended to read as follows:

106.3 Work Exempted. A building permit shall not be required for the following:

1. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 m²), the plate height does not exceed 12 feet (3.69 m) in height above the grade plane at any point, and the maximum roof projection does not exceed 24 inches.
2. Wood, wrought iron and similar fences not over 6 feet high and masonry, concrete and similar garden or pilaster fences not over 3 feet high. Fences shall comply with the City's Zoning Code regardless whether a permit is required or not.
3. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 1½:1.
4. Gantry cranes and similar equipment.
5. Retaining walls that retain not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding a Class I, II, or III-A liquids.
6. Motion picture, television and theater stage sets and scenery, except when used as a building.
7. Ground mounted radio and television antennae towers which do not exceed 45 feet (13 716 mm) in height and ground supported dish antennas not exceeding 15 feet (4572 mm) in height above finished grade in any position.
8. Light standards which do not exceed 30 feet (9144 mm) in height.
9. Flagpoles not erected upon a building and not more than 15 feet (4572 mm) high.
10. A tree house provided that:
 - 10.1 It does not exceed 64 square feet (5.94 m²) in area nor 8 feet (2438 mm) in height from floor to roof.
 - 10.2 The ceiling height as established by door height or plate line does not exceed 6 feet (1829 mm).
11. Canopies or awnings, completely supported by the exterior wall, attached to a Group R-3 or U Occupancy and extending not more than 54 inches (1372 mm) from the exterior wall of the building.
12. Sheds, office or storage buildings, and other structures incidental to and work authorized by a valid grading or building permit. Such structures must be removed upon expiration of the permit or completion of the work covered by the permit.
13. A portable metal hanger located on County-owned airports, provided that:
 - 13.1 It is less than 2,000 square feet (18.58 m²) in area;
 - 13.2 It is used exclusively for the parking of aircraft;
 - 13.3 It bears the Department of Motor Vehicles, State of California, insignia of approval for movement on any highway;
 - 13.4 It incorporates as an integral part of its basic construction a hitch or coupling device for towing;
 - 13.5 It can accommodate, without further structural change, wheel and axle assemblies to provide a safe means of portability;

- 13.6 It is equipped with permanent ventilation to prevent the accumulation of combustible gases; and
- 13.7 It is not provided with water or sanitary facilities.
- 14. Oil derricks.
- 15. Platforms, walks and driveways not more than 30 inches (762 mm) above grade, not over any basement or story below, and which are not part of an accessible route.
- 16. Prefabricated swimming pools, spas and other bodies of water that are accessory to a Group R-3 Occupancy and less than 18 inches deep in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5,000 gallons (18 927 L). Fences, gates, door alarms, and other protection devices that are accessory to the prefabricated swimming pool are not exempt from permit requirements.
- 17. Playground equipment.

Unless otherwise exempted, separate plumbing, electrical and mechanical permits will be required for the above-exempted items.

Exemption from the permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code, or other laws or ordinances.

Section 2. Section 15.04.030 of the Hawaiian Gardens Municipal Code is hereby amended to read as follows:

§15.04.030 PENALTY

Every person violating any provision of the 2010 California Building Code as amended by Title 26 Los Angeles Building Code and appendices, adopted by reference by §15.04.020, or of any permit or license granted hereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense. In addition, all enforcement provisions of Chapters 1.12 and 1.13 of this Code that do not conflict herewith shall be applicable.

Section 3. Section 15.06.020 of the Hawaiian Gardens Municipal Code is hereby amended to read as follows:

§15.06.020 ADOPTION OF 2010 CALIFORNIA ELECTRICAL CODE AS AMENDED BY TITLE 27 LOS ANGELES COUNTY ELECTRICAL CODE (ADOPTED NOVEMBER 23, 2010 BY THE LOS ANGELES COUNTY BOARD OF SUPERVISORS).

(A) The 2010 California Electrical Code as amended by Title 27 Los Angeles County Electrical Code (Adopted November 23, 2010 by the Los Angeles County Board of Supervisors), together with their annexes, which

provides minimum requirements and standards for the protection of the public health, safety and welfare by regulating the installation or alteration of electrical wiring, equipment, materials, and workmanship in the city, provides for the issuance of permits and collection of fees therefore, with all changes and amendments thereto, is hereby adopted by reference, and all conflicting ordinances are hereby repealed.

(B) All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the City Clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

Section 4. Section 15.06.030 of the Hawaiian Gardens Municipal Code is hereby amended to read as follows:

§15.06.030 PENALTY

Every person violating any provision of the 2010 California Electrical Code as amended by Title 27 Los Angeles County Electrical Code and appendices, adopted by reference by §15.06.020, or of any permit or license granted there under, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense. In addition, all enforcement provisions of Chapters 1.12 and 1.13 of this Code that do not conflict herewith shall be applicable.

Section 5. Section 15.08.020 of the Hawaiian Gardens Municipal Code is hereby amended to read as follows:

§15.08.020 ADOPTION OF THE 2010 CALIFORNIA MECHANICAL CODE AS AMENDED BY TITLE 29 LOS ANGELES COUNTY MECHANICAL CODE (ADOPTED NOVEMBER 23, 2010 BY THE LOS ANGELES COUNTY BOARD OF SUPERVISORS).

(A) The 2010 California Mechanical Code as amended by Title 29 Los Angeles County Mechanical Code; (Adopted November 23, 2010 By the Los Angeles County Board of Supervisors), together with their appendices, which regulate and control the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of heating, venting, cooling, refrigeration systems, or other miscellaneous heat-producing appliances in the city, provides for the issuance of permits and collection of fees therefore, with certain changes and amendments thereto, is hereby adopted by reference, and all conflicting ordinances are hereby repealed.

(B) All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the City Clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

Section 6. Section 15.08.030 of the Hawaiian Gardens Municipal Code is hereby amended to read as follows:

§15.08.030 PENALTY

Every person violating any provision of the 2010 California Mechanical Code as amended by Title 29 Los Angeles County Mechanical Code and appendices, adopted by reference by §15.08.020, or of any permit or license granted there under, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense. In addition, all enforcement provisions of Chapters 1.12 and 1.13 of this Code that do not conflict herewith shall be applicable.

Section 7. Section 15.10.020 of the Hawaiian Gardens Municipal Code is hereby amended to read as follows:

§15.10.020 ADOPTION OF 2010 CALIFORNIA PLUMBING CODE AS AMENDED BY TITLE 28 LOS ANGELES COUNTY PLUMBING CODE (ADOPTED NOVEMBER 23, 2010 BY THE LOS ANGELES COUNTY BOARD OF SUPERVISORS).

(A) The 2010 California Plumbing Code as amended by Title 28 Los Angeles County Plumbing Code (Adopted November 23, 2010 By the Los Angeles County Board of Supervisors), together with their appendices, which provide minimum requirements and standards for the protection of the public health, safety and welfare by regulating the installation or alteration of plumbing and drainage, materials, venting, wastes, traps, interceptors, water systems, sewers, gas piping, water heaters and other related products, and workmanship in the city, provide for the issuance of permits and collection of fees therefore, with certain changes and amendments thereto, are hereby adopted by reference and conflicting ordinances are hereby repealed.

(B) All of the regulations, provisions, conditions and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the City Clerk's office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the

exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

Section 8. Section 15.10.030 of the Hawaiian Gardens Municipal Code is hereby amended to read as follows:

§15.10.030 PENALTY

Every person violating any provision of the 2010 California Plumbing Code as amended by Title 28 Los Angeles County Plumbing Code and appendices, adopted by reference by §15.10.020, or of any permit or license granted there under, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense. In addition, all enforcement provisions of Chapters 1.12 and 1.13 of this Code that do not conflict herewith shall be applicable.

Section 9. Title 15 of the Hawaiian Gardens Municipal Code is hereby amended by adding Chapter 15.12 to read as follows:

Chapter 15.12 RESIDENTIAL CODE

§15.12.010 TITLE

The ordinance codified in this chapter shall be known as the "Residential Code of the City of Hawaiian Gardens" and may be cited as the "Residential Code."

§15.12.020 ADOPTION OF THE 2010 CALIFORNIA RESIDENTIAL CODE AS AMENDED BY TITLE 30 LOS ANGELES COUNTY RESIDENTIAL CODE (ADOPTED NOVEMBER 23, 2010 BY THE LOS ANGELES COUNTY BOARD OF SUPERVISORS).

(A) The 2010 California Residential Code as amended by Title 30 Los Angeles County Residential Code (Adopted November 23, 2010 By the Los Angeles County Board of Supervisors), together with their appendices, which regulate the erection, construction, enlargements, alteration, repair, moving, removal, conversion, demolition, occupancy, use, equipment, height, area, security, abatement, and maintenance of certain residential buildings or structures within the city, provide for the issuance of permits and collection of fees therefore, are hereby adopted by reference, and conflicting ordinances are hereby repealed.

(B) All of the regulations, provisions, conditions, and terms of the codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are referred to, adopted and

made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this chapter.

§15.12.030 PENALTY

Every person violating any provision of the 2010 California Residential Code as amended by Title 30 Los Angeles County Residential Code and appendices, adopted by reference by §15.12.020, or of any permit or license granted there under, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense. In addition, all enforcement provisions of Chapters 1.12 and 1.13 of this Code that do not conflict herewith shall be applicable.

§15.12.040 AMENDMENTS GENERALLY

Title 30, as adopted by Section 15.12.020 is hereby amended as follows:

Whenever reference is made to the County of Los Angeles or to the incorporated area of the County, such area shall be deemed to include within its corporate limits the area of the City of Hawaiian Gardens for purposes of fulfilling the requirements of this Chapter.

§15.12.050 CONFLICT

Whenever an apparent conflict or inconsistency exists between any provision of Title 30, as adopted in Section 15.12.020 and any provision of the Hawaiian Gardens Municipal Code, each provision shall be construed so as to supplement the other. In the event any apparently conflicting or inconsistent provisions may not reasonably be so construed, the provisions of the Hawaiian Gardens Municipal Code shall prevail.

§15.12.060 NO ENTITLEMENT CREATED HEREBY

The adoption hereby of Title 30 as set forth in Section 15.12.020 shall not be construed for any purpose as creating any entitlement or authorizing any business or use, which is prohibited by any provision contained in the Hawaiian Gardens Municipal Code.

§15.12.070 SEVERABILITY

The city council hereby declares that should any provision, section, paragraph, sentence or word of this chapter or Title 30, hereby adopted by reference in Section 15.12.020, be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this chapter and Title 30 hereby adopted shall remain in full force and effect.

Section 10. Title 15 of the Hawaiian Gardens Municipal Code is hereby amended by adding Chapter 15.14 to read as follows:

Chapter 15.14 GREEN BUILDING STANDARDS CODE

§15.14.010 TITLE

The ordinance codified in this chapter shall be known as the "Green Building Standards Code of the City of Hawaiian Gardens" and may be cited as the "Green Building Standards Code."

§15.14.020 ADOPTION OF THE 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE.

(A) The 2010 California Green Building Standards Code, which regulates the planning, design, operation, construction, use and occupancy of every newly constructed building or structure, unless otherwise indicated in that code, for the maintenance of the green building features of properties in the city, for the issuance of permits and collection of fees therefore, with certain changes and amendments thereto, are hereby adopted by reference, and all conflicting ordinances are repealed. Only the mandatory requirements of the Green Building Standards Code are in effect. The various measures indicated in Appendices A4 and A5 of the Green Building Standards Code are voluntary.

(B) All of the regulations, provisions, conditions, and terms of the codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the city clerk's office, are referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this chapter.

§15.14.030 PENALTY

Every person violating any provision of the 2010 California Green Building Standards Code and appendices, adopted by reference by §15.14.020, or of any permit or license granted there under, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars or imprisonment not to exceed six months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense. In addition, all enforcement provisions of Chapters 1.12 and 1.13 of this Code that do not conflict herewith shall be applicable.

§15.14.040 (Reserved)

§15.14.050 CONFLICT

Whenever an apparent conflict or inconsistency exists between any provision of the Green Building Standards Code, as adopted in Section 15.14.020 and any provision of the Hawaiian Gardens Municipal Code, each

provision shall be construed so as to supplement the other. In the event any apparently conflicting or inconsistent provisions may not reasonably be so construed, the provisions of the Hawaiian Gardens Municipal Code shall prevail.

§15.14.060 NO ENTITLEMENT CREATED HEREBY

The adoption hereby of the Green Building Standards Code as set forth in Section 15.14.020 shall not be construed for any purpose as creating any entitlement or authorizing any business or use which is prohibited by any provision contained in the Hawaiian Gardens Municipal Code.

§15.14.070 SEVERABILITY

The city council hereby declares that should any provision, section, paragraph, sentence or word of this chapter or the Green Building Standards Code hereby adopted by reference in Section 15.14.020, be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this chapter and the Green Building Standards hereby adopted shall remain in full force and effect.

Section 11. The City Council hereby makes each finding of reasonable necessity for modifications as stated separately for each such modification as identified in Los Angeles County Titles 26, 27, 28, 29, and 30 and the California Green Building Standards Code. These modifications to the California Building Standards Code, incorporating the uniform and international codes are reasonably necessary due to the local climatic, geological and/or topographical conditions characterized by hot, dry summers and the high potential for seismic activity which make structures particularly vulnerable to rapidly spreading fires and structural damage.

Section 12. Severability. Should any section, subsection, clause, or provision of this Ordinance for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance; it being hereby expressly declared that this Ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been prepared, proposed, approved, and ratified irrespective of the fact that anyone or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

Section 13. A Public Hearing is scheduled for December 14, 2010 for final adoption. This ordinance shall take effect thirty (30) days from the date of its adoption. The City Clerk or his/her duly appointed Deputy, shall certify to the adoption of this ordinance and shall cause this Ordinance to be published within fifteen (15) days after its adoption as required by law. An additional public hearing which will be scheduled on December 14, 2010 to introduce an Urgency Ordinance shall take effect immediately upon adoption, and the local amendments to the building laws shall become effective January 1, 2011, and shall apply to all projects submitted for plan check on or after that date.

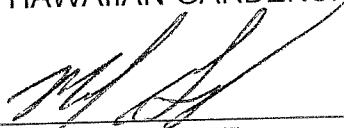
Section 14. This Ordinance has been determined to be exempt from the California Environmental Quality Act pursuant to State Guidelines §15061 (b)(3) as a project that has no potential for causing a significant effect on the environment.

Section 15. The Mayor or presiding officer of the City of Hawaiian Gardens City Council is hereby authorized to affix his/her signature to this Ordinance signifying its adoption by the City Council of the City of Hawaiian Gardens.

Section 16. The City Clerk of the City of Hawaiian Gardens, or his/her duly appointed Deputy, is hereby directed to attest hereto; and shall cause this Ordinance and its certification to be entered into the Book of Ordinances of the City Council of the City of Hawaiian Gardens.


Section 17. The City Clerk shall file a certified copy of this Ordinance with the California Building Standards Commission.

PASSED, APPROVED and ADOPTED this 14TH DAY OF DECEMBER, 2010, BY THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS.



MICHAEL GÓMEZ
MAYOR

ATTEST:




SUZANNE UNDERWOOD
CITY CLERK

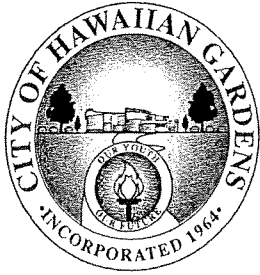
CITY OF HAWAIIAN GARDENS
CITY CLERK'S OFFICE
CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF HAWAIIAN GARDENS)

I, Suzanne Underwood, City Clerk of the City of Hawaiian Gardens, do hereby certify that **Ordinance No. 534**, was duly and regularly introduced and placed upon its first reading at a Special meeting of the City Council on **NOVEMBER 30, 2010** and that thereafter, said Ordinance was duly adopted and passed at a Regular meeting of the City Council on this **14th day of DECEMBER 2010**, by the following votes as the same appears on file and of record in the Office of the City Clerk.

AYES: FARFAN, RODRIGUEZ, BRUCE, OYAMA-CANADA, GOMEZ
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

ISI 
SUZANNE UNDERWOOD
CITY CLERK/RECORDS MANAGER



CITY OF HAWAIIAN GARDENS
CITY COUNCIL
STAFF REPORT

Agenda Item No. A-1

Meeting Date 12/14/2010

City Administrator *[Signature]*

CITY OF HAWAIIAN GARDENS
ACTION:

☒ Approved
☐ Denied
☐ Amended
☐ Receive & File
☐ Other

TO: Honorable Mayor and Members of the City Council

THRU Ernesto Marquez, City Administrator

FROM: Joseph Colombo, Community Development Director
Mark Berg, Building Official

DATE: December 14, 2010

[Signature]
VOTE: 5-0
DATE: 12/14/2010
Second Reading

SUBJECT: ORDINANCE NO. 534: SECOND READING AND ADOPTION

A REQUEST FROM THE COMMUNITY DEVELOPMENT DEPARTMENT FOR THE CITY COUNCIL TO ADOPT ORDINANCE NO. 534, ADOPTING BY REFERENCE, PURSUANT TO GOVERNMENT CODE SECTIONS 50022.2 and 50022.9 and HEALTH AND SAFETY CODE SECTIONS 17958 and 17958.7, THE 2010 CALIFORNIA BUILDING CODE (TITLE 26 LOS ANGELES COUNTY BUILDING CODE), THE 2010 CALIFORNIA ELECTRICAL CODE (TITLE 27 LOS ANGELES COUNTY ELECTRICAL CODE), THE 2010 CALIFORNIA PLUMBING CODE (TITLE 28 LOS ANGELES COUNTY PLUMBING CODE), THE 2010 CALIFORNIA MECHANICAL CODE (TITLE 29 LOS ANGELES COUNTY MECHANICAL CODE), THE 2010 CALIFORNIA RESIDENTIAL CODE (TITLE 30 LOS ANGELES COUNTY RESIDENTIAL CODE), THE 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE AND ADOPTING LOCAL AMENDMENTS THERETO.

I. SUMMARY

The City Council introduced by first reading on November 30, 2010 Ordinance No. 534 and will preform a duly noticed public hearing on December 14, 2010 to adopt the latest adoption of the State Building Codes that will become effective January 1, 2011. The City also adopts the Los Angeles County Amendments to the State Building Codes. At this time, Ordinance No. 534 is presented for second reading and adoption.

II. DISCUSSION

Since incorporation, the City of Hawaiian Gardens has adopted the Los Angeles County codes by reference. These codes contain essential amendments and additions to the Uniform, International and State Building Codes. Included in these amendments are the administrative portions of the codes as well as such important chapters for grading and substandard properties. The State of California adopts and publishes State Building Laws and mandates they become effective throughout the State 180 days after publication. The 2010 codes will become effective on January 1, 2011. In order for a jurisdiction to make amendments to the State Building Codes, it must make specific findings based on local climatic, topographical and/or geological conditions. The County ordinances contain such amendments and each of these amendments is justified in detail to satisfy State Law as shown in the attached Los Angeles County Ordinances. However, the City is proposing the adoption of the California Green Building Standards Code without the County amendments, as these amendments seem to increase the cost of construction and as a result, negatively impact the suffering building industry. The City is proposing minor administrative amendments to the Codes, which do not require justification.

Staff is processing two concurrent ordinances at the same time in case there is a legal challenge to Ordinance No. 535U which will become effective on January 1, 2011. Ordinance No. 534 would become effective 30 days after adoption.

III. ENVIRONMENTAL DOCUMENTATION

Adoption of this ordinance is exempt from the California Environmental Quality Act (CEQA) in that it can be seen with certainty that there is no possibility that the ordinance may have a significant effect on the environment pursuant to State CEQA Guidelines Section 15061(b)(3). The adoption of the proposed ordinances is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. The adoption of the proposed ordinances does not have such potential.

IV. RECOMMENDATION

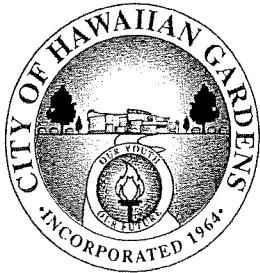
Staff recommends that the City Council waive further reading and read by Title only, and conduct a duly noticed public hearing on December 14, 2010, regarding the ordinances that adopts by reference the 2010 California Building Code (Title 26 Los Angeles County Building Code), the 2010 California Electrical Code (Title 27 Los Angeles County Electrical Code), the 2010 California Plumbing Code (Title 28 Los Angeles County Plumbing Code), the 2010 California Mechanical Code (Title 29 Los Angeles County Mechanical Code), the 2010 California Residential Code (Title 30 Los Angeles County Residential Code), the 2010 California Green Building Standards Code and local amendments thereto.

V. FISCAL IMPACT

The fiscal impact to the City will be the cost to acquire two (2) sets of codebooks. One set is for the City Clerk and one set is for the Building Department. The cost is approximately \$3,000.

ATTACHMENT

Ordinance No. 534



CITY OF HAWAIIAN GARDENS
CITY COUNCIL
STAFF REPORT

Agenda Item No. A-1

Meeting Date 11/30/2010

CITY OF HAWAIIAN GARDENS
City Administrator M. ENC

ACTION:

- ☒ Approved
- ☐ Denied
- ☐ Amended
- ☐ Receive & File
- ☐ Other

First Reading

VOTE:

5-0

DATE:

FOR J.C.
11/30/10

TO: Honorable Mayor and Members of the City Council

THRU Ernesto Marquez, City Administrator

FROM: Joseph Colombo, Community Development Director
Mark Berg, Building Official

DATE: November 30, 2010

SUBJECT: ORDINANCE NO. 534 FIRST READING AND INTRODUCTION

A REQUEST FROM THE COMMUNITY DEVELOPMENT DEPARTMENT FOR THE CITY COUNCIL TO ADOPT ORDINANCE NO. 534, ADOPTING BY REFERENCE, PURSUANT TO GOVERNMENT CODE SECTIONS 50022.2 and 50022.9 and HEALTH AND SAFETY CODE SECTIONS 17958 and 17958.7, THE 2010 CALIFORNIA BUILDING CODE (TITLE 26 LOS ANGELES COUNTY BUILDING CODE), THE 2010 CALIFORNIA ELECTRICAL CODE (TITLE 27 LOS ANGELES COUNTY ELECTRICAL CODE), THE 2010 CALIFORNIA PLUMBING CODE (TITLE 28 LOS ANGELES COUNTY PLUMBING CODE), THE 2010 CALIFORNIA MECHANICAL CODE (TITLE 29 LOS ANGELES COUNTY MECHANICAL CODE), THE 2010 CALIFORNIA RESIDENTIAL CODE (TITLE 30 LOS ANGELES COUNTY RESIDENTIAL CODE), THE 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE AND ADOPTING LOCAL AMENDMENTS THERETO.

SUMMARY

The latest adoption of the State Building Codes will become effective January 1, 2011. The City also adopts the Los Angeles County Amendments to the State Building Codes.

DISCUSSION

Since incorporation, the City of Hawaiian Gardens has adopted the Los Angeles County codes by reference. These codes contain essential amendments and additions to the Uniform, International and State Building Codes. Included in

these amendments are the administrative portions of the codes as well as such important chapters for grading and substandard properties. The State of California adopts and publishes State Building Laws and mandates they become effective throughout the State 180 days after publication. The 2010 codes will become effective on January 1, 2011. In order for a jurisdiction to make amendments to the State Building Codes, it must make specific findings based on local climatic, topographical and/or geological conditions. The County ordinances contain such amendments and each of these amendments is justified in detail to satisfy State Law as shown in the attached Los Angeles County Ordinances. However, the City is proposing the adoption of the California Green Building Standards Code without the County amendments, as these amendments seem to increase the cost of construction and as a result, negatively impact the suffering building industry. The City is proposing minor administrative amendments to the Codes, which do not require justification.

ENVIRONMENTAL DOCUMENTATION

Adoption of this ordinance is exempt from the California Environmental Quality Act (CEQA) in that it can be seen with certainty that there is no possibility that the ordinance may have a significant effect on the environment pursuant to State CEQA Guidelines Section 15061(b)(3). The adoption of the proposed ordinances is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. The adoption of the proposed ordinances does not have such potential.

RECOMMENDATION

Staff recommends that the City Council introduce the Ordinance, waive further reading, read by Title only, and schedule a public hearing on December 14, 2010, regarding the ordinances that adopts by reference the 2010 California Building Code (Title 26 Los Angeles County Building Code), the 2010 California Electrical Code (Title 27 Los Angeles County Electrical Code), the 2010 California Plumbing Code (Title 28 Los Angeles County Plumbing Code), the 2010 California Mechanical Code (Title 29 Los Angeles County Mechanical Code), the 2010 California Residential Code (Title 30 Los Angeles County Residential Code), the 2010 California Green Building Standards Code and local amendments thereto.

FISCAL IMPACT

The fiscal impact to the City will be the cost to acquire two (2) sets of codebooks. One set is for the City Clerk and one set is for the Building Department. The cost is approximately \$3,000.

ATTACHMENT

Ordinance No. 534